

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE	:	
MATTHEW ALEXANDER WALUKONIS,	:	
Debtor	:	
	:	
	:	CHAPTER 13
JACK N. ZAHAROPOULOS,	:	
CHAPTER 13 TRUSTEE,	:	
Movant	:	
	:	
vs.	:	CASE NO. 1:25-bk-00904-HWV
	:	
MATTHEW ALEXANDER WALUKONIS,	:	
Respondent	:	

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on April 17, 2025, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, by and through his Attorney Douglas R. Roeder, Esquire, and moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case in accordance with §§ 521 and 1307(c) due to failure to file documents, and in support of this Motion, your Trustee states as follows:

1. On April 2, 2025, Debtor(s) filed this case in the Middle District of Pennsylvania.
2. The Notice of Incomplete and/or Deficient Filing dated April 3, 2025, at Doc. 7 established a due date for Debtor(s) to file certain documents by April 16, 2025.
3. Debtor(s) failed to file documents to complete the Petition pursuant to Bankruptcy Rules 1007 and 3015 and § 521, namely the following, by April 16, 2025:
 - a. 106Sum – Summary of Your Assets and Liabilities and Certain Statistical Information;
 - b. 106Dec – Declaration About an Individual Debtor's Schedules;
 - c. 106A/B – Schedule A/B: Property;
 - d. 106C – Schedule C: The Property You Claim as Exempt;
 - e. 106D – Schedule D: Creditors Who Have Claims Secured by Property;

- f. 106E/F – Schedule E/F: Creditors Who Have Unsecured Claims;
- g. 106G – Schedule G: Executory Contracts and Unexpired Leases;
- h. 106H – Schedule H: Your Codebtors;
- i. 106I – Schedule I: Your Income;
- j. 106J – Schedule J: Your Expenses;
- k. 107 – Statement of Financial Affairs for Individuals Filing for Bankruptcy;
- l. Employee Income Records (Payment Advices) – received from employer for income earned within sixty (60) days before filing and/or Certification of No Payment Advices on Local Bankruptcy Form 1007–1(c) (Individual Cases Only). Social Security Number should be redacted;
- m. 122C–1 – Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period;
- n. 122C–2 – Chapter 13 Calculation of Your disposable Income; and
- o. Chapter 13 Plan. Local Bankruptcy Form 3015–1.

4. To date, no Motion for extension of time has been filed.

5. Movant believes, and therefore avers, that under the circumstances, Debtor(s) demonstrated substantial abuse and a lack of good faith pursuant to §§ 521 and 1307(c).

6. If upon receipt of this Motion and the Notice, Debtor(s) files/file the missing documents on or before the response date specified on said Notice, or an Order granting a Motion for extension of time is granted, the Motion shall be deemed withdrawn and moot.

WHEREFORE, your Trustee respectfully requests this Honorable Court to:

- a. dismiss this case in accordance with §§ 521 and 1307(c); and
- b. grant such further relief as this Honorable Court deems just and proper.

Respectfully submitted:

/s/ Douglas R. Roeder, Esquire

Attorney ID: 80016

Attorney for Trustee

Jack N. Zaharopoulos,

Standing Chapter 13 Trustee

8125 Adams Drive, Suite A

Hummelstown, PA 17036

Phone: (717) 566-6097

Email: droeder@pamd13trustee.com

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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss Case, it is hereby ORDERED that the above-captioned bankruptcy be and hereby is DISMISSED.

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NOTICE

NOTICE IS HEREBY GIVEN that Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, has filed a Motion to Dismiss your Chapter 13 bankruptcy filing.

If you object to the relief requested, you must file a written objection/response on or before **May 1, 2025**, with the Clerk of Bankruptcy Court:

Sylvia H. Rambo U.S. Courthouse
1501 North 6th Street
Harrisburg, PA 17102

and serve a copy on the Chapter 13 Trustee for the Middle District of Pennsylvania:

Jack N. Zaharopoulos
Office of the Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036.

If you file and serve an objection/response within the time permitted, a hearing will be held on **May 14, 2025, at 9:35 AM at the Sylvia H. Rambo U.S. Courthouse, Courtroom No. 4B, 1501 North 6th Street, Harrisburg, Pennsylvania 17102.** If you do not file an objection/response within the time permitted, the Court will deem the Motion unopposed and proceed to consider the

Motion without further notice or hearing and may grant the relief requested.

Respectfully submitted:

Date: April 17, 2025

/s/ Douglas R. Roeder, Esquire

Attorney ID: 80016

Attorney for Trustee

Jack N. Zaharopoulos,

Standing Chapter 13 Trustee

8125 Adams Drive, Suite A

Hummelstown, PA 17036

Phone: (717) 566-6097

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CERTIFICATE OF SERVICE

AND NOW, this 17th day of April 2025, I hereby certify that I have served the foregoing by electronically notifying parties or by depositing a true and correct copy of the same in the United States mail at Hummelstown, Pennsylvania, postage prepaid, first-class mail, addressed to the following:

VIA ELECTRONIC MAIL SERVICE ONLY

Office of The United States Trustee
Sylvia H. Rambo United States Courthouse
1501 North 6th Street
Harrisburg, PA 17102

VIA FIRST-CLASS U.S.P.S. MAIL ONLY

Matthew Alexander Walukonis
956 West 6th Street
Erie, PA 16507

/s/ Matthew Harnsberger

Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee